

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA, *
Plaintiff *

vs. *

CR. NO. 99-00218-05(PG)

RAMON LUIS CARABALLO-VEGA, *
Defendant *

*** * * * ***

**MOTION RECOMMENDING MODIFICATION
OF SUPERVISED RELEASE CONDITIONS**

TO THE HONORABLE JUAN M. PEREZ GIMENEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO:

COMES NOW, Luis O. Encarnación , U.S. Probation Officer of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Ramon Luis Caraballo-Vega. The defendant was sentenced to forty-six (46) months of imprisonment as to each count to be served concurrently and three (3) years of supervised release after he pled guilty of violating U.S.C. Title 21 § 846 and 841(a)(1) and 18 §1956(a)(1)(A)(i). On January 26, 2004, the supervision of Mr. Caraballo was officially transferred to the Central District of California.

RESPECTFULLY PRAYING AS FOLLOWS:

On September 17, 2004, we received a letter from U.S. Probation Officer Rosa Huertas, from the Central District of California informing that on August 31, 2004, Mr. Caraballo tested positive for amphetamine and methamphetamine. They are requesting to modify the offender's release conditions to include participation in an inpatient substance abuse program and that the offender contribute to the cost of his treatment based on his ability to pay, as directed by the probation officer. On September 8, 2004, the defendant signed a waiver of hearing to modify conditions of supervised release to include the above-mentioned modification.

WHEREFORE, unless the Court rules otherwise, it is respectfully requested that the defendant's conditions of supervised release be modified to include his participation in an outpatient or inpatient substance abuse treatment program as approved by the U.S. Probation Officer for treatment of narcotic addiction or drug dependency, which may include counseling and testing, to determine if the releasee has reverted to the use of drugs, until discharged by the Program Director and the Probation Officer. Mr. Ramón Luis Caraballo-Vega shall abstain from using illicit drugs and alcohol, abusing prescription medications during the period of supervision. Mr. Caraballo-Vega shall pay all or contribute to the costs of treating his drug dependency/alcohol dependency to the aftercare contractor during the period of supervision, pursuant to 18 USC 3672. Mr. Caraballo-Vega shall also provide proof of payments as directed by the Probation Officer.

In San Juan, Puerto Rico, this 16th day of November 2004.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Luis O. Encarnación

Luis O. Encarnación

U.S. Probation Officer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 16, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which send notification of such filing to the following: Mr. Humbert S. García, U.S. Attorney, and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participant; Irma Valldejuli, Esq., P.O. Box 361228, San Juan, P.R. 00936.

At San Juan, Puerto Rico, November 16, 2004

s/Luis O. Encarnación
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